70. (New) The lighter of claim 69, wherein the first electrode comprises the nozzle.

71. (New) The lighter of claim 69, wherein the second electrode comprises a tab on the wand assembly.

72. (New) The lighter of claim 68, wherein the wand assembly comprises a wand, and the conduit and the lead allow the wand to move with respect to the housing assembly.

73. (New) The lighter of claim 72, wherein the wand is capable of moving with respect to the housing assembly.

74. (New) The lighter of claim 68, wherein the actuating member is capable of selectively releasing fuel from the nozzle and actuating the ignition assembly in first and second modes.

75. (New) The lighter of claim 74, wherein the first mode requires an operator to apply a first force to the actuating member in order to selectively release fuel from the nozzle and actuate the ignition assembly, and the second mode requires the operator to apply a second force to the actuating member in order to selectively release fuel from the nozzle and actuate the ignition assembly.

76. (New) The lighter of claim 75, wherein the first force is greater than the second force.

77. (New) The lighter of claim 76, wherein the second mode requires the operator to activate a second trigger.

REMARKS

Claims 1-65, as amended without prejudice and new claims 66-77 are presented for the Examiner's review and consideration. Applicants acknowledge the Examiner's indication of allowable subject matter of claims 59-62. Claims 44, 58, 59 and 65 have been rewritten without prejudice to broaden and clarify the scope of the claimed subject matter. New claim 66 further recites characteristics of the lighter of claim 1. New claim 67 has

been added to recite subject matter originally recited in claim 44. New clams 68-77 broaden and clarify the scope of the claimed subject matter to which the Applicants are entitled. No new matter has been added, as the amendments and additions are supported by the specification as originally filed.

1.0 DRAWINGS

In the Office Action dated January 8, 2002, the Examiner objected to Fig. 3 and Fig. 4 because "it is unclear what reference number 32 represents." The Examiner noted that in other figures "the trigger is element 25 and the cam is element 32." In response, Fig. 3 and Fig. 4 have been amended as indicated in red on the copies of these figures attached as Appendix A to clarify that the trigger is element 25. Accordingly, Applicants respectfully request that the objection to Fig. 3 and Fig. 4 be withdrawn.

2.0 SPECIFICATION

The specification was objected to for containing informalities on pages 23, 30, 31, 33, and 35. These informalities have been addressed without prejudice as suggested by the Examiner. Additionally, Applicants have addressed the informalities cited by the Examiner on page 31 by conforming inconsistent reference numbers for the plunger member and cylindrical member on page 30, Figure 16, and Figure 16A with reference numbers --263-- and --263a– respectively. A marked up version of the specification--by each paragraph containing the informalities and showing deletions and insertions--is provided as Appendix C. As previously described, proposed changes to Figure 16 and Figure 16A are indicated in red on the copies of these figures attached as Appendix A. In light of the foregoing amendments, made without prejudice to clarify informalities in the disclosure, Applicants respectfully request that objections to the specification be withdrawn.

3.0 CLAIM OBJECTIONS

Claim 58 was objected to because of a typographical error, which has been amended without prejudice to clarify the meaning of the recited subject matter. In particular, the claim language "the at least member" has been replaced by --the at least one member--. A marked up version of claim 58 showing the clarifying amendment is provided as Appendix B.

4.0 CLAIM REJECTIONS

4.1 35 U.S.C. § 102

Claims 1-8, 17-18, 20-21, 34-36, 42-44 and 58 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,199,865 to Liang ("Liang"). The Examiner argued that Liang "clearly" discloses: a lighter with a housing; an actuating member associated with the housing; and a movable wand assembly that is associated with the housing and operatively associated with the actuating member such that when the wand is in a first position the actuating member is unable to ignite the fuel.

For the reasons which follow, Applicants respectfully submit that Liang does not disclose, teach or suggest (1) as to independent claim 1, a moveable wand assembly operatively associated with the actuating member such that when the wand assembly is in a first position, the actuating member is immobilized sufficiently to prevent ignition of the fuel; (2) as to independent claim 34, a wand assembly movable between a closed position and an extended position, wherein the wand assembly is releasably positionable in at least one intermediate position between the closed position and the extended position; (3) as to independent claim 44, a wand assembly including a hub rotatably connected to the housing and a wand connected to the hub, the hub including an outer surface having a plurality of detents therein; or (4) as to independent claim 58, at least one member fluidly connecting the supply to the nozzle, the at least one member electrically connected to the ignition assembly and the nozzle.

4.1.1 Claim 1

Independent claim 1 recites "a moveable wand assembly...operatively associated with the actuating member such that when the wand assembly is in a first position, the actuating member is immobilized sufficiently to prevent ignition of the fuel." Liang by contrast, discloses a lighter having a rotating nozzle and a separate and independently controlled actuating means (i.e., the control knob), which is capable of preventing ignition of the fuel. As described by Liang:

> "When not in use, the control knob 3 is rotated to move the projecting strip 34 to engage with the stop strip 163 such that the control knob 3 is locked and cannot be pressed down. Therefore safety control of the present invention is achieved." (Liang, Column 3, lines 45-59).

The position of the rotating nozzle has *no effect* on whether the control knob is immobilized sufficiently to prevent ignition of the fuel, as recited in claim 1. In addition, Liang expressly teaches a foldable lighter having "*control means operatively coupled to*

said valve means," only. (Liang, Column 4, lines 5-6). Liang does not disclose, suggest, or teach "a moveable wand assembly...operatively associated with the actuating member" as required in claim 1.

As the features and elements recited in claim 1 are not disclosed, suggested or taught by Liang, Applicants respectfully request that the above-identified rejection of claim 1 under 35 U.S.C. §102(b) be withdrawn.

4.1.2 Claim 34

Independent claim 34 recites a wand assembly movable between a closed position and an extended position, wherein the wand assembly is releasably positionable in at least one intermediate position between the closed position and the extended position. The Examiner argues that the rotating nozzle of Liang "can be releasably positioned in intermediate positions between the closed and extended positions as disclosed in cloumn 4, lines 32-44." There is no disclosure, teaching, or suggestion in Liang for releasably positioning the rotating nozzle of Liang in an intermediate position as recited in claim 34.

Specifically, Liang teaches a mechanism for guiding rotation of the nozzle tube and stopping rotation at a fixed end point:

> "said rotatable support means including a triangularly shaped *guide member* disposed adjacent said pivoting coupling element for rotative displacement *within an arcuately contoured groove terminating on one end* in a triangularly shaped recess for engagement with said guide member." (Liang, column 4, lines37-44).

The purpose of this mechanism is to provide:

> " a foldable safety lighter...having a locating block for securing a nozzle tube to a casing at *either a first position, permitting the nozzle tube to be longitudinally extended outward from the casing, or a second position, permitting the nozzle tube to be rotated through 180 °angle relative to said first position*, so as to lie parallel to the casing for reducing storage space." (Liang, Abstract, lines 1-7).

Thus, the foldable lighter of Liang has no means for varying resistence to movement of the nozzle between either (1) the closed position and at least one intermediate position or (2) the fully extended position and the at least one intermediate position. Accordingly, the foldable lighter of Liang is not capable of providing a stable intermediate position for holding the nozzle reliably in place with respect to the housing when the nozzle is subjected to forces greater than the normal friction forces associated with initiating or rotating the nozzle. As there is no means for securing the rotating nozzle of Liang in an intermediate position, there can be no releasably positionable assembly as recited in claim 34.

As the features and elements recited in claim 34 are not disclosed, suggested or taught by Liang, Applicants respectfully submit that claim 34 is in condition for allowance, and respectfully request that the above-identified rejection under 35 U.S.C. §102(b) be withdrawn.

4.1.3 Claim 44

Independent claim 44 has been rewritten without prejudice to broaden and clarify the scope of the claimed subject matter. Claim 44 recites a wand assembly including a hub rotatably connected to the housing and a wand connected to the hub, the hub including an outer surface having a plurality of detents therein. As these features and elements recited in claim 44 are not disclosed, suggested or taught by Liang, Applicants respectfully submit that claim 44 is in condition for allowance, and respectfully request that the above-identified rejection under 35 U.S.C. §102(b) be withdrawn.

4.1.4 Claim 58

Independent claim 58 has been rewritten without prejudice to clarify the scope of the claimed subject matter. Claim 58 recites at least one member fluidly connecting the supply to the nozzle, the at least one member electrically connected to the ignition assembly and the nozzle. As the features and elements recited in claim 58 are not disclosed, suggested or taught by Liang, Applicants respectfully submit that claim 58 is in condition for allowance, and respectfully request that the above-identified rejections under 35 U.S.C. §102(b) be withdrawn.

4.1.5 Dependent claims.

With respect to claims 2-8, 17, 18, 20, 21, 35, 36, and 43 which depend from independent claims 1 or 34, Applicants respectfully submit that because these claims define more particular aspects of Applicants' invention in addition to the features and elements of independent claims 1 and 34, these claims are also patentably distinct from Liang for the same reasons as claims 1 and 34, as well as the additional features of the respective claims. As the features and elements recited in claim 2-8, 17, 18, 20, 21, 35, 36, and 43 are not disclosed, suggested or taught by Liang, Applicants respectfully submit that claims 2-8, 17, 18, 20, 21, 35, 36, and 43 are in condition for allowance, and respectfully request that the above-identified rejections under 35 U.S.C. §102(b) be withdrawn.

4.2 35 U.S.C. § 103(a)

Claims 9-16, 19, 22-32, 37-40, 45-57, and 63-65 were rejected under 35 U.S.C. §103(a) as being unpatentable over Liang in combination with U.S. Patent No. 6,168,420 to Sung ("Sung '420"); U.S. Patent No.4,870,314 to Hefling ("Hefling"); U.S. Patent No. 6,213,759 to Sung ("Sung '759"); U.S. Patent No. 4,022,566 to Goto ("Goto"); and U.S. Patent No. 5,934,895 to McDonough et al. ("McDonough"). As previously described, the recitations of independent claims 1, 34, 44, and 58 are not disclosed, taught, or suggested by Liang. Nor, as described more fully below, do the references cited by the Examiner remedy the deficiencies of Liang either alone or in any combination.

4.2.1 Liang in view of Sung '420

Claims 9-13, 19, and 37-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang in view of Sung '420. As previously described, the recitations of independent claim 1 and independent claim 34 are not disclosed, suggested or taught by Liang. Sung '420 discloses a safety mechanism for a utility lighter which is actuated by depressing a safety button. There is no disclosure, teaching, or suggestion in Sung '420 of (1) a moveable wand assembly operatively associated with the actuating member such that when the wand assembly is in a first position, the actuating member is immobilized sufficiently to prevent ignition of the fuel, as recited in independent claim 1; and (2) a wand assembly movable between a closed position and an extended position, wherein the wand assembly is releasably positionable in at least one intermediate position between the closed position and the extended position, as recited in independent claim 34. Thus, Sung 420 does not remedy the deficiency of Liang, and the combination of Liang and Sung '420 fail to disclose, suggest, or teach the recitations of independent claim 1, independent claim 34, and claims dependent thereon.

Additionally, there is no motivation to combine Liang and Sung '420 in the manner argued by the Examiner because there is no teaching or suggestion in Sung to combine a safety mechanism for a utility lighter into a wand assembly as argued by the Examiner.

Moreover, Sung '420 teaches away from combining Liang and Sung '420 as argued by the Examiner because the safety mechanism taught by Sung '420 is directed toward making it "very difficult, if not impossible, for a young child to operate the device." (Sung '420 page 2, lines 39-40). Applicants respectfully submit that incorporating the safety mechanism of Sung '420 into Liang would defeat the purpose of "the unique structure of the cam mechanism" (Sung '420 page 2, lines 39-40) because the safety lock of Sung '420

would automatically be disengaged when the folded lighter were opened for use. This is contrary to the teaching of Sung '420:

> "In addition, *the invention requires that the safety button, and not necessarily the trigger, be held in its activated state in order for the flame to be sustained*; releasing the safety button after simultaneous activation of both the safety button and the trigger will cause the flame to be extinguished." (Sung '420 column 2, lines 31-36).

As combining Liang and Sung '420 as argued by the Examiner would violate the teachings of Sung '420, the only motivation to combine Liang and Sung '420 would be impermissible hindsight reconstruction.

For these reasons, and because the features and elements recited in claims 9-13, 19, and 37-41 are not disclosed, suggested or taught by Liang, alone or in combination with Sung '420, Applicants respectfully request that the above-identified rejections under 35 U.S.C. §103(a) be withdrawn.

4.2.2 Liang in view of Hefling

Claims 9-16, 19, and 37-41 were rejected under § 103(a) as being unpatentable over Liang in view of U.S. Patent No.4,870,314 to Hefling. As previously described, the recitations of independent claim 1 and independent claim 34 are not disclosed, suggested or taught by Liang. Hefling discloses a cam actuated piezoelectric ignition device for a gas appliance such as a propane lantern. The ignition device in Hefling is operated by an on-off control knob. The control knob includes a cam which causes movement of a push button as the control knob rotates. The piezoelectric ignition device is then actuated by the push button. Thus, Hefling does not remedy the deficiency of Liang, and the combination of these references fails to disclose, suggest, or teach the recitations of independent claim 1, independent claim 34, and claims dependent thereon.

Additionally, there is no motivation to combine Liang and Hefling as argued by the Examiner because there is no teaching or suggestion in either reference to combine any kind of cam mechanism into a rotating nozzle of a foldable lighter. Specifically, the Examiner argued that it would have been obvious to modify the lighter of Liang with the cam mechanism of Hefling "to interact with the wand and the actuating member at various positions as well as bias the cam for the purpose of controlled movement and to produce variable reciprocating motion." Hefling, however, discloses a cam on the control knob which rotates with the control knob and pushes a button to actuate a piezoelectric ignition assembly. Hefling only teaches incorporating a cam mechanism in an ignition device.

Thus, there is no disclosure, teaching, or suggestion that a cam mechanism would be applicable to a trigger lock for a foldable lighter. Clearly, the only motivation to combine Liang and Hefling, as argued by the Examiner, is impermissible hindsight reconstruction because (1) Liang already has an ignition assembly and control knob; and (2) there is no teaching or suggestion in Hefling of incorporating any type of cam mechanism in any thing other than an ignition device.

For these reasons, and because the features and elements recited in claims 9-16, 19, and 37-41 are not disclosed, suggested or taught by Liang, alone or in combination with Hefling, Applicants respectfully request that the above-identified rejections under 35 U.S.C. §103(a) be withdrawn.

4.2.3 Liang in view of Sung '759

Claims 22-23, 45-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang in view of Sung '759. Liang discloses a foldable lighter with a safety control knob for actuating the lighter. Sung '759 discloses a utility lighter having a trigger release device that comprises buttons or switches that must be manipulated before the lighter can be operated. There is no disclosure, teaching, or suggestion in Liang or Sung '759 of (1) a lighter comprising a wand assembly pivotally coupled to the housing, wherein the wand assembly has a high-wand-force position and a low-wand-force position, as recited in independent claim 22; and (2) a lighter comprising a wand assembly, wherein when the wand assembly is in a first position the actuating member requires a first actuating force, when the wand assembly is in a second position the actuating member requires a second actuating force, and the first actuating force is greater than the second actuating force, as recited in independent claim 45. Thus, Sung '759 does not remedy the deficiency of Liang, and any combination of Liang and Sung '759 fails to disclose, suggest, or teach the recitations of independent claim 22 and independent claim 45.

Additionally, there is no motivation to combine Liang and Sung '759 in the manner argued by the Examiner because there is no teaching or suggestion in Sung '759 to combine a safety mechanism for a utility lighter into a wand assembly as argued by the Examiner.

As the features and elements recited in claims 22 and 45 are not disclosed, suggested or taught by Liang, or Sung '759, Applicants respectfully request that the above-identified rejections to claims 22 and 45 under 35 U.S.C. §103(a) be withdrawn.

With respect to claims 23 and 46 which depend from independent claims 22 or 45, Applicants respectfully submit that because these claims define more particular aspects of Applicants' invention in addition to the features and elements of claims independent 22 and

45, these claims are also patentably distinct from Liang and Sung '759 for the same reasons as claims 22 and 45, as well as the additional features of the respective claims. As the features and elements recited in claim 23 and 46 are not disclosed, suggested or taught by Liang and Sung '759, Applicants respectfully further request that the above-identified rejection of claim 23 and claim 46 under 35 U.S.C. §103(a) be withdrawn.

4.2.4 Liang in view of Sung '759 and further in view of Hefling.

Claims 24-33 and 47-51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang in view of Sung '759 and further in view of Hefling. As an initial matter, claims 24-33 depend from independent claim 22; and claims 47-51 depend from independent claim 45. As described in section 4.2.3 of these remarks, the features and elements recited in independent claim 22 and independent claim 45 are not disclosed, suggested or taught by Liang, alone or in combination with Sung '729. Accordingly, on this basis alone, Applicants respectfully submit that claims 24-33, 47-51 which depend from independent claims 22 or 45, are also patentably distinct from Liang, Sung '759, and Hefling for the same reasons as claims 22 and 45, as well as the additional features of the respective claims.

In addition, Applicants respectively submit that the Examiner's rejection of claims 24-33 and 47-51 rely on an erroneous characterization of Sung '729 and Hefling. The Examiner argued that it would have been obvious "to modify the lighter of Liang *to incorporate the teaching of variable wand force positions taught by Sung* and to include a cam to interact with the wand and the actuating member as taught by Hefling for the purpose of actuator control." As previously noted, Sung '759 does not disclose, suggest or teach "variable wand force positions." Also, Hefling does not disclose, suggest or teach a (1) a lighter comprising a wand assembly pivotally coupled to the housing, wherein the wand assembly has a high-wand-force position and a low-wand-force position, as recited in independent claim 22; and (2) a lighter comprising a wand assembly, wherein when the wand assembly is in a first position the actuating member requires a first actuating force, when the wand assembly is in a second position the actuating member requires a second actuating force, and the first actuating force is greater than the second actuating force, as recited in independent claim 45. Thus, the Examiner erroneously reads and misapplies the teachings of Sung '759 and Hefling in rejecting claims 24-33 and 47-51.

As the features and elements recited in claims 24-33 and 47-51 are not disclosed, suggested or taught by Liang, alone or in combination with Sung '759 and Hefling,

Applicants respectfully submit that the rejection of claims 24-33, 47-51 under 35 U.S.C. §103(a) be withdrawn.

4.2.5 Liang in view of Goto

Claims 52 and 55-57 were rejected under § 103(a) as being unpatentable over Liang in view of Goto. The Examiner argued that it would have been obvious in view of Goto to "provide the lighter of Liang to a coiled wire for the purpose of improved ignition." Claim 52 recites a conduit extending through the wand assembly and including: a tube defining a channel for conveying the fuel from the supply to the nozzle, and a coiled wire received in the channel and electrically connected to the ignition assembly and the nozzle. According to Goto:

> "On the fuel reservoir 2 is mounted a burner valve assembly which comprises a valve body 30a, a hollow cylindrical tube 30b of electrical insulation, an electrically conductive nozzle 30c, and a nozzle cover of electrical insulation...the nozzle 30c has arranged at the upper part thereof an electrically conductive coiled wire 30f for obtaining the optimum mixture of gaseous fuel with the air." (Goto Column 7 line 57 to Column 8, line 4).

Thus, as described by Goto the coiled wire (30f) is part of the nozzle (30c) and is not part of a tube for conveying fuel from the supply to the nozzle as recited in claim 52.

As the features and elements recited in claims 52 are not disclosed, suggested or taught by Liang, alone or in combination with Goto, Applicants respectfully submit that the above-identified rejection of claim 52 under 35 U.S.C. §103(a) be withdrawn.

With respect to claims 55-57 which depend from independent claim 52 Applicants respectfully submit that because these claims define more particular aspects of Applicants' invention in addition to the features and elements of claims independent 52, these claims are also patentably distinct from Liang for the same reasons as claims 52, as well as the additional features of the respective claims. As the features and elements recited in claims 55-57 are not disclosed, suggested or taught by Liang, alone or in combination with Goto, Applicants respectfully submit that the above-identified rejection of claims 55-57 under 35 U.S.C. §103(a) be withdrawn.

4.2.6 Liang in view of Goto and further in view of McDonough

Claims 53-54 and 63-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang in view of Goto as applied to claim 52, and over Liang in claim 58 above, and further in view of McDonough. As an initial matter, claims 53-54 depend from claim 52; and claims 63-65 depend from claim 58. As described in section 4.2.5 and 4.1.4,

of these remarks, respectively, (1) the features and elements recited in claim 52 are not disclosed, suggested or taught by Liang, alone or in combination with Goto; and (2) the features and elements recited in claim 58 are not disclosed, suggested or taught by Liang.

Additionally, McDonough which discloses a utility lighter including a housing having a handle on one end and a nozzle at another end does not remedy the deficiencies of Liang or Goto. Thus, Applicants respectfully submit that claims 53-54, and 63-65 which depend from independent claims 52 or 58, are also patentably distinct from Liang and Goto, and Liang and McDonough for the same reasons as claims 52 and 58, as well as the additional features of the respective claims.

As the features and elements recited in claims 53-54 and 63-65 are not disclosed, suggested or taught by Liang, alone or in combination with Goto and McDonough, Applicants respectfully submit that rejection of claims 53-54 and 63-65 under 35 U.S.C. §103(a) be withdrawn.

5.0 CONCLUSION

In view of the foregoing amendments and remarks, it is submitted that all rejections have been overcome and should be withdrawn. Thus, all claims are now in condition for allowance, early notice of which is requested.

A fee of $246.00 is believed to be due for the new claims submitted in this response. A fee calculation is attached for the new claims. Should any additional fees be required, however, please charge such fees to Pennie & Edmonds LLP deposit account no. 16-1150.

Respectfully submitted,

Date: 4/8/2002

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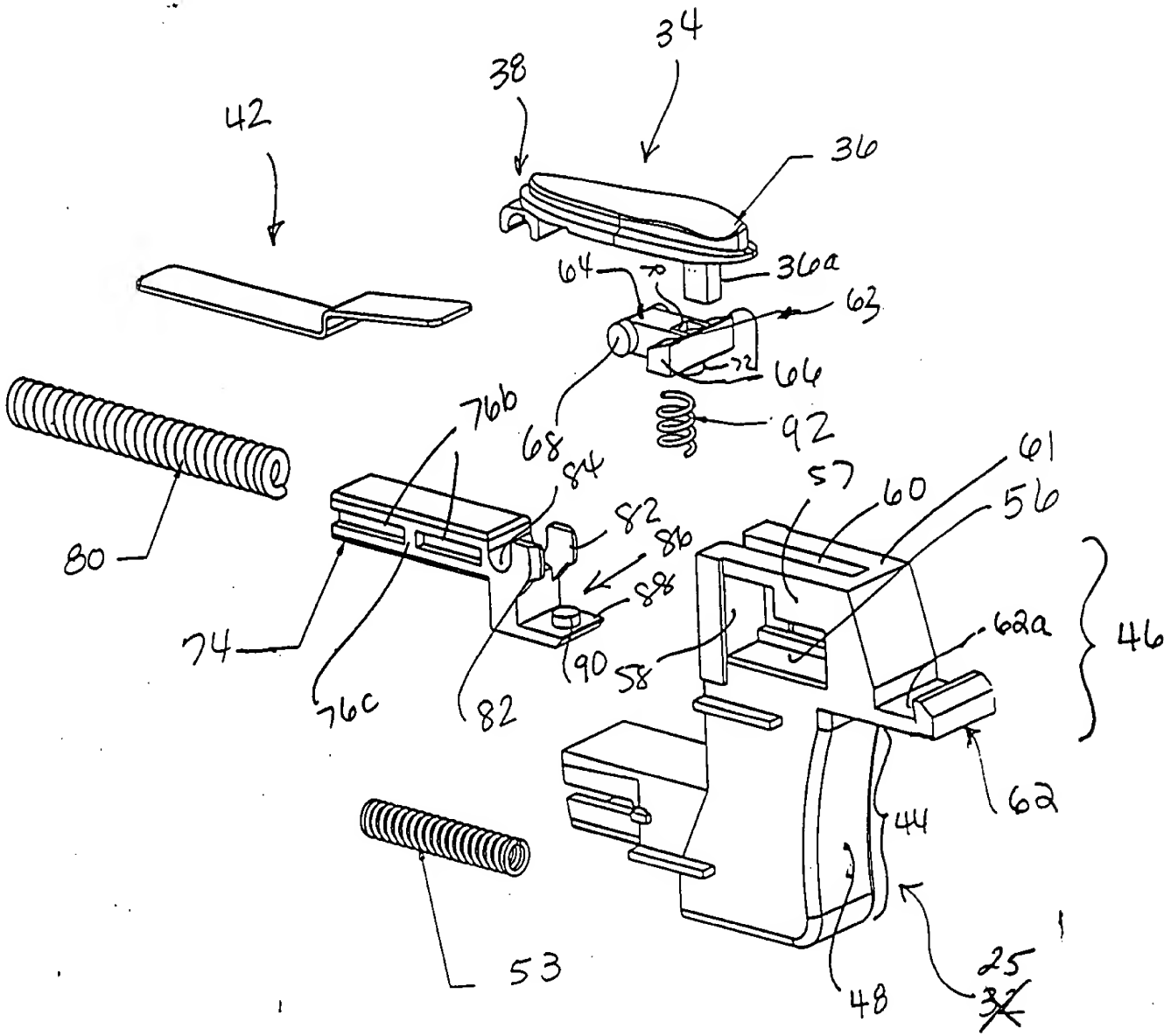
APPENDIX A

AMENDED DRAWINGS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76b
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82
86
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76c
82
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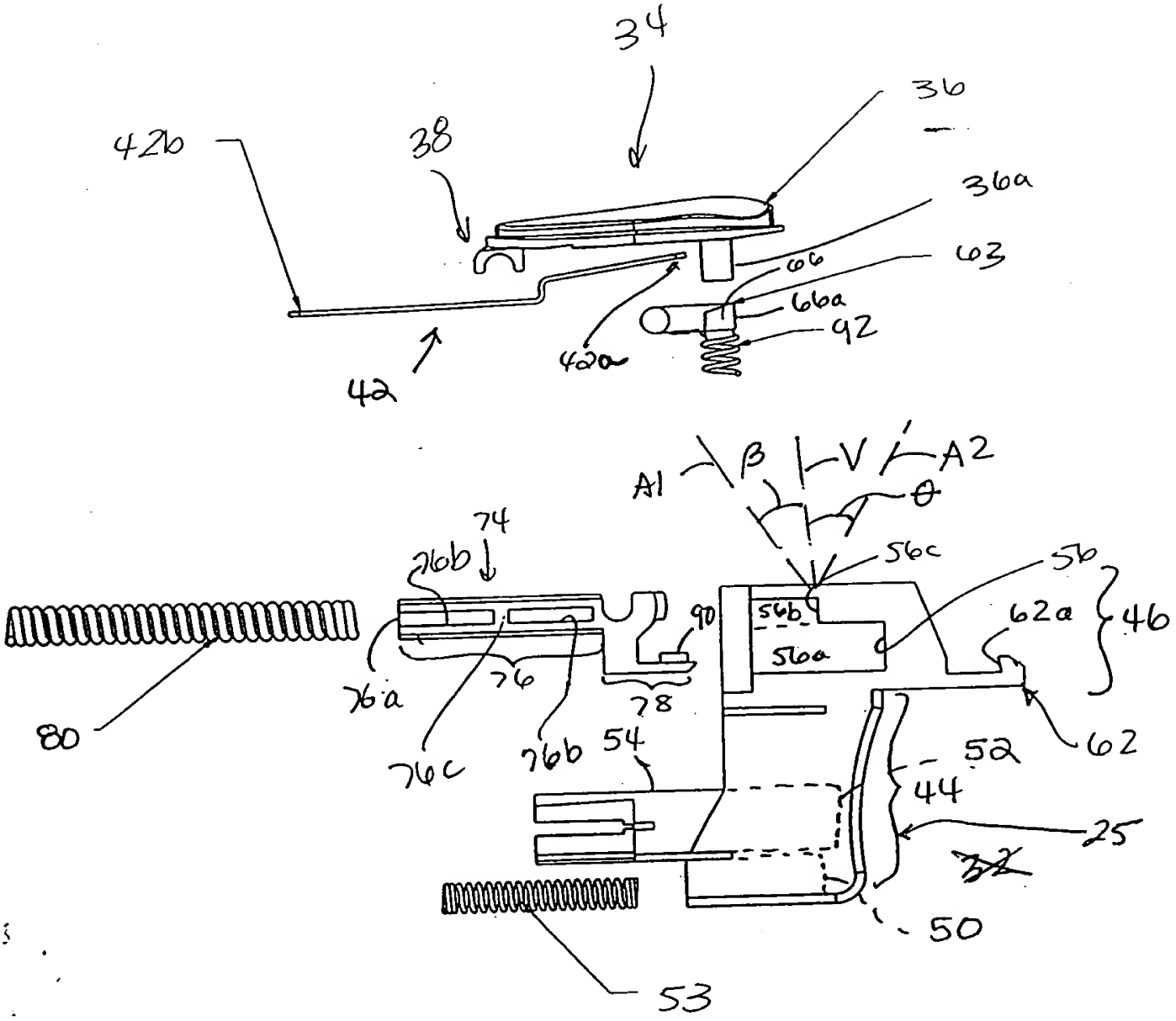
60
56
62a
46
58
62
44
48
25
53

Fig. 3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56b
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Fig. 4

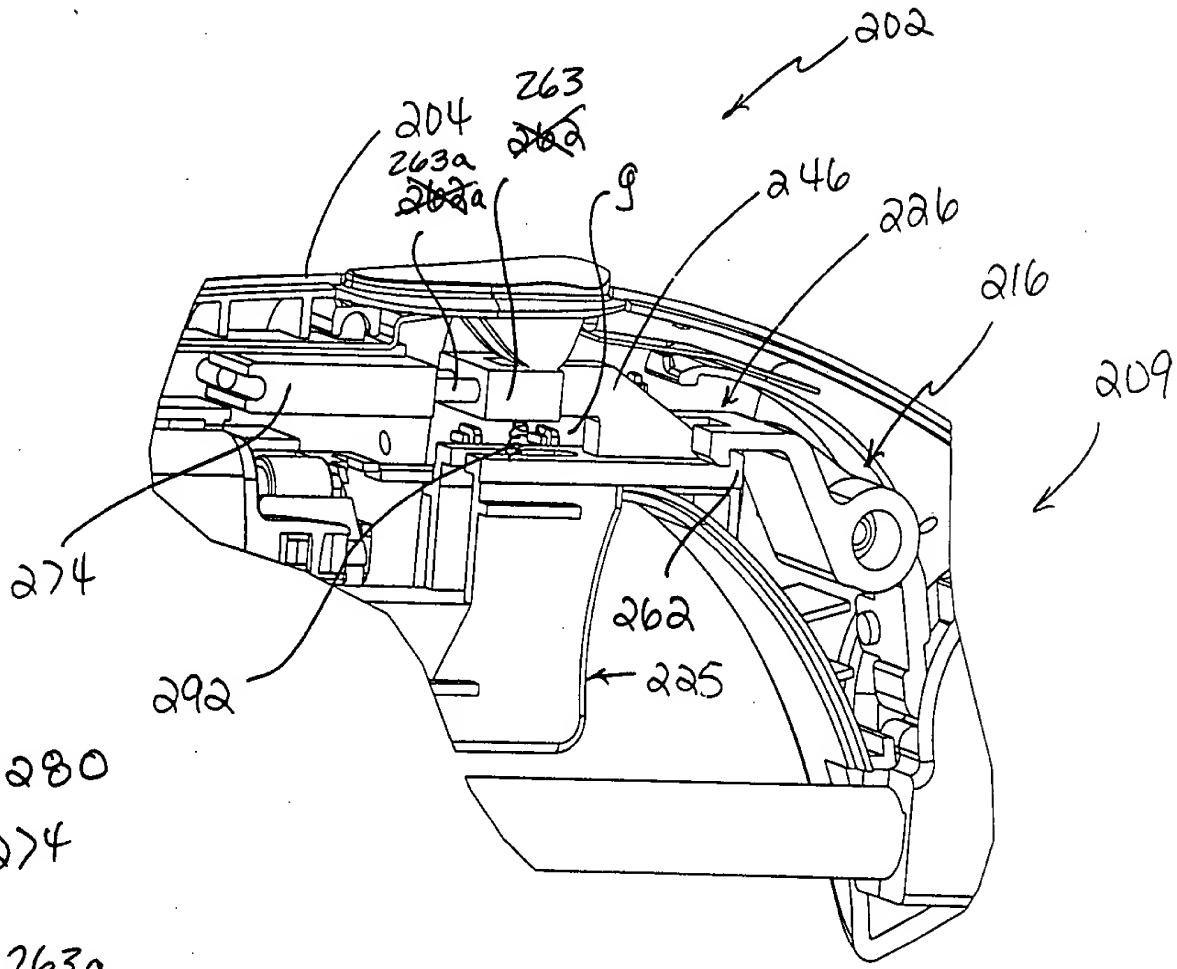

Fig. 16

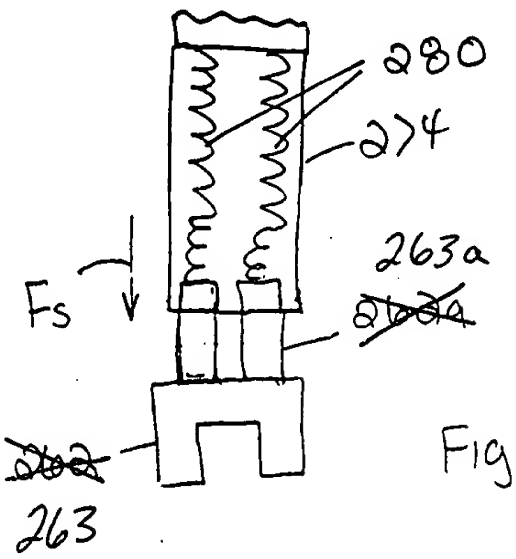

Fig. 16A

APPENDIX B

MARKED UP SPECIFICATION

Paragraph beginning on page 23, line 12:

-- As shown in Figs. [1-1B] 1, 1A, and [16] 9A, the tube 140 is supported within bore 20b of retainer 20 and joined to fuel connector 22 so that wire 144 extends through fuel connector 22 and is in electrical contact with electrode 15b. The second end 148 of tube 140 is connected to nozzle 143 located adjacent the tip 152 of wand 101. Tube 140 thus conveys fuel F from the fuel supply unit 11 to the nozzle 143 at tip 152 of wand assembly 10 via channel 142. Nozzle 143 may optionally include a diffuser 154, preferably in the form of a coil spring. --

Paragraph beginning on page 30, line 18:

– Figs. 16 and 16A an alternative embodiment lighter 202 is shown. Lighter 202 is similar to the lighter 2 shown in Figs. 1-4. Lighter 202 includes a trigger 225 with an upper rib portion 246 that is longitudinally extending. The trigger 225 further includes engaging portions 226 on either side of the rib portion 246 that cooperate with engaging portions [126] 226 on cam follower 216. The lighter 202 further includes a plunger member 263 (as shown in Fig. 16A) slidably associated with a piston member 274. The plunger member [262] 263 includes a U-shaped front portion and rearwardly extending cylindrical members [262a] 263a that receive two high-actuation-force spring 280. The springs 280 extends into the piston member 274. The springs 280 bias the plunger member [262] 263 toward front end 209 of the lighter. The piston member 274 is pivotally coupled to the housing 204 and is biased upward by a spring 292. –

Paragraph beginning on page 30, line 23:

– As shown in Fig. [19A] 18A, the lighter 302 further includes a substantially U-shaped plunger member 363 and a piston member 374. The plunger member 363 is slidably connected to the piston member 374. A high-actuation-force spring 380 is disposed between the piston member 374 and housing support member 304e. The piston member 374 is slidably coupled to the housing 304. The plunger member is biased upward by a spring 392. –

Paragraph beginning on page 33, line 24:

-- The lighter 502 further includes wand assembly 510 configured like wand assembly 10 of Figs. 9-14, and a cam follower 516 with an engaging end 516a and a follower end [522] 516b and configured similar to cam follower 116 of Figs. 9-15. Similar to lighter 2 of Figs. 9-14, wand assembly 510 includes a camming surface 524 and detents 534a-d. –

Paragraph beginning on page 33, line 28:

-- When wand assembly 510 is in or about the closed position, as shown, follower end [522] 516b of cam follower 516 is received in first detent 534a, and end 516a of cam follower 516 is aligned with engaging end 525d of linking rod 525b. Thus, cam follower 516 prevents linking rod 525b and trigger 525 from sliding sufficiently to ignite the lighter 502. In the lighter 502, the cam follower 516 may rotate counter-clockwise as the wand assembly is extended. –

Paragraph beginning on page 35, line 10:

-- Fig. 27 shows an alternative embodiment of lighter 802. Lighter 802 is similar to the lighter 2 shown in Fig. 1. Lighter 802 includes a housing 804 with support members 804a for releasably retaining a conductive strip or member 890 in the housing 804. Prior to joining the strip 890 to housing [809] 804, wire 28 (as shown in Fig. 1B) is disposed with an uninsulated end in electrical contact with the strip 890. The uninsulated end may be disposed between the strip 890 and housing 804. Strip 890 thus retains the wire 28 in this location within the housing 804. –

APPENDIX C

MARKED UP CLAIMS

APPENDIX C

MARKED UP VERSION OF CLAIMS

44. (Amended) A lighter comprising:

a housing having a supply of fuel;

an actuating member for selectively igniting the fuel, the actuating member associated with the housing; and

a wand assembly including a hub rotatably connected to the housing and a wand connected to the hub, the hub including an [undulating] outer surface having a plurality of detents therein,

wherein the wand pivots about a transversely extending pivoting axis that is substantially perpendicular to the longitudinal axis.

58. (Amended) A lighter comprising:

a housing having a supply of fuel;

an ignition assembly for igniting the fuel;

a wand assembly pivotally associated with the housing and having a nozzle;

an actuating member operable to selectively release fuel from the nozzle and actuate the ignition assembly; and

at least one member fluidly connecting the supply to the nozzle [and], the at least one member electrically connected to the ignition assembly and the nozzle,

wherein the wand assembly pivots about a pivot axis, and the at least one member is spaced from the pivot axis and extends at least partially through the wand assembly.

59. (Amended) The lighter of claim 58, wherein the wand assembly defines an aperture spaced from the pivot axis, and the at least one member passes through the aperture.

65. (Amended) The lighter of claim 63, [further including a wand assembly movably connected to the housing,] wherein the wand assembly includes the first electrode [at a free end].

66. (New) The lighter of claim 1, wherein the wand assembly is capable of being moved with respect to the housing from the first position to at least one second position, wherein sufficient immobilization of the actuating member to prevent ignition of the fuel is caused by the position of the wand assembly.

67. (New) The lighter of claim 44, wherein the outer surface is undulating.

68. (New) A lighter comprising:

a housing assembly having a supply of fuel;

a wand assembly associated with the housing assembly and having a nozzle;

a conduit for transporting fuel from the supply to the nozzle;

an ignition assembly for igniting fuel at the nozzle; and

an actuating member operable to selectively release fuel from the nozzle and actuate the ignition assembly,

wherein the conduit contains a lead from the ignition assembly for igniting fuel at the nozzle.

69. (New) The lighter of claim 68, wherein the lead operably connects a first electrode to a first part of the ignition assembly; and a second lead operably connects a second electrode to a second part of the ignition assembly for generating an electrical arc between the electrodes.

70. (New) The lighter of claim 69, wherein the first electrode comprises the nozzle.

71. (New) The lighter of claim 69, wherein the second electrode comprises a tab on the wand assembly.

72. (New) The lighter of claim 68, wherein the wand assembly comprises a wand, and the conduit and the lead allow the wand to move with respect to the housing assembly.

73. (New) The lighter of claim 72, wherein the wand is capable of moving with respect to the housing assembly.

74. (New) The lighter of claim 68, wherein the actuating member is capable of selectively releasing fuel from the nozzle and actuating the ignition assembly in first and second modes.

75. (New) The lighter of claim 74, wherein the first mode requires an operator to apply a first force to the actuating member in order to selectively release fuel from the nozzle and actuate the ignition assembly, and the second mode requires the operator to apply a second force to the actuating member in order to selectively release fuel from the nozzle and actuate the ignition assembly.

76. (New) The lighter of claim 75, wherein the first force is greater than the second force.

77. (New) The lighter of claim 76, wherein the second mode requires the operator to activate a second trigger.

74. The lighter of claim 68, wherein the actuating member is capable of selectively releasing fuel from the nozzle and actuating the ignition assembly in first and second modes.

75. The lighter of claim 74, wherein the first mode requires an operator to apply a first force to the actuating member in order to selectively release fuel from the nozzle and actuate the ignition assembly, and the second mode requires the operator to apply a second force to the actuating member in order to selectively release fuel from the nozzle and actuate the ignition assembly.

76. The lighter of claim 75, wherein the first force is greater than the second force.

77. The lighter of claim 76, wherein the second mode requires the operator to activate a second trigger.